

Group III: Claims 1, 4-10, drawn to a preparation for the treatment of pigmentation disorder containing RNA encoding DCoH and the use thereof.

Group IV: Claims 1, 3, 4-10, drawn to a preparation for the treatment of pigmentation disorder containing DCoH antibodies or antiserum.

The Applicant respectfully selects, with traverse, the invention of Group I, as set forth in claims 1, 2 and 4-10, for further prosecution.

It is believed that any search for the inventions embodied in claims 1, 2 and 4-10 would necessarily include search of the species embodied in the remaining groups. Thus, the simultaneous search for all the groups is believed not to constitute an unreasonable search for the Patent Examiner. In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for all of the groups. Also, the necessity of filing multiple patent applications for the same invention does not serve to promote the public interest. This is because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity

of searching through a multiplicity of patent files in order to find the complete range of subject matter claimed in several different patents that could otherwise be found in one issued patent only.

Applicant reserves the right to file a divisional patent application for the non-elected inventions.

For all of these reasons, it is respectfully requested that the restriction requirement under 35 U.S.C. §121 be withdrawn and that an action on the merits of all the claims be rendered.

Respectfully submitted,  
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I hereby certify that this correspondence is being sent by facsimile-transmission to the Assistant Commissioner for Patents, Washington, D.C. 20231, on December 17, 2002.

Elizabeth Collard Richter